

**Response to Public Comment**  
**Implementation Plan for One TMDL for Nitrate-Nitrogen in Lower Sabinal River, For Segment 2110**  
 July 14, 2006

Tracking Number	Date Received	Affiliation of Commenter	Summary of Request or Comment	Summary of TCEQ Action or Explanation
001	6/23/06 (email)	Nueces River Authority	<p>Comment #1, Page 2: Introduction                      “This I-Plan is designed to guide activities that will reduce nitrate-nitrite concentrations in the Lower Sabinal River in Uvalde and Frio Counties, as defined in the adopted TMDL.”                      The Lower Sabinal is only in Uvalde County.                      Comment #2, Page 3: Summary of TMDLs                      “The Lower Sabinal River runs from north of the city of Sabinal in Uvalde County to the confluence with the Frio River in Frio County.” The confluence is in Uvalde County.</p>	<p>The Implementation Plan has been changed to reflect these comments. The confluence of Lower Sabinal River with the Frio River is in Uvalde county.</p>
002	6/28/06 (email)	Texas Commission on Environmental Quality, Water Quality Monitoring and Assessment	<p>This comment is to request to add the language in bold below to the paragraph in the middle of page 2 of the above referenced IP.                      “This I-Plan also includes all of the nine key elements for watershed-based plans as prescribed in the FY 2004 Guidelines for the Award of Section 319 Nonpoint Source Grants to States and Territories (USEPA, 2004). Consequently, projects developed to implement <b>nonpoint source elements of the control actions of this plan and to meet the grant program conditions</b> are eligible for funding under the USEPA’s Section 319(h) incremental grant program.”</p>	<p>The supplementary language has been added as requested.</p>
003	6/27/06 (oral comment at public meeting)	Interested landowner	<p>Comment was made that the TCEQ did not inform the landowner of the proposed new wastewater treatment facility location. The landowner is opposed to its location and that it would discharge into the river. According to the map obtained from a Federal Emergency Management Agency website, the proposed site for the waste water treatment facility is in the 100 year floodplain. The individual would like to see all the possible wastewater treatment facility alternatives fully explored before proceeding with the proposed facility.</p>	<p>The purpose of the hearing was to receive comment on the draft Implementation Plan for One Total Maximum Daily Load for Nitrate-Nitrogen in the Lower Sabinal River. The comments submitted dealt more with permit and construction issues for the proposed waste water treatment facility. Though the proposed waste water treatment facility is a major portion of the draft document, the draft Implementation Plan is a plan for tracking the funding and construction, as well as the impact the new facility will have on water quality in the Lower Sabinal River. The more appropriate forum for these comments would be during the public comment period of the TCEQ permitting process. For more information</p>

003 (cont.)				on the permitting process, please contact the Office of Public Assistance at 1-800-687-4040. No changes have been made to the Implementation Plan as a result of these comments.
004	6/27/06 (oral comment at public meeting)	Interested landowner	A map of the area was presented with the city of Sabinal, the current waste water treatment facility, the sample station, and the United States Geological Service gauge station plotted. The TMDL equation from the document titled <i>One Total Maximum Daily Load for Nitrate-Nitrogen in the Lower Sabinal River</i> was referenced. It was questioned what flow value was used in forming the TMDL equation, since the gauging station is below the Sabinal waste water treatment facility. Concern was expressed over the possibility that the flow value used did not subtract out the flow contributed by the Sabinal waste water treatment facility.	After review of the document titled <i>One Total Maximum Daily Load for Nitrate-Nitrogen in the Lower Sabinal River</i> and the TMDL equation in the document, it has been determined that the value used for baseflow of the Lower Sabinal River did have the contribution from the City of Sabinal waste water treatment facility subtracted from it. No changes have been made to the Implementation Plan, or the TMDL document as a result of these comments.
005	6/27/06 (oral comment at public meeting)	Interested landowner	Comment was presented that the proposed new waste water treatment facility will help the quality of water in the Lower Sabinal River.	The TCEQ appreciates the support of improvements to the quality of the resources of Texas. No changes have been made to the Implementation Plan as a result of these comments.
006	7/13/06 (letter)	Nueces River Authority	The commenter expressed support for the TMDL effort.	The TCEQ appreciates the expression of support for the TMDL.
			The commenter requested that the TCEQ organize a formal stakeholder committee to provide guidance and oversight for the implementation project.	The TCEQ agrees that stakeholder participation, guidance, and oversight are important factors in the success of the implementation of TMDLs. We disagree, however, with the suggestion that the TCEQ take responsibility for a formal committee for this purpose. This role would be inconsistent with the locally-led nature of TMDL implementation and could potentially create a conflict of interest between the watershed management and permitting functions of the TCEQ. The TCEQ would be pleased to participate in forums convened by the Nueces River Authority or other local entity in reporting on the status of tracking programmatic and water quality indicators as presented in the Implementation Plan. No changes have been made to the Implementation Plan as a result of these comments.